

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

NICHOLAS McGRATH
Plaintiff

v.

Civil Action No.: 05-30048KPN

CONSOLIDATED RAIL
CORPORATION, et. al

Defendants

RULE 16(O)(3) CERTIFICATION

This is to certify that the Plaintiff, Nicholas McGrath and his counsel, Thomas J. Joyce, III, Esquire and Michael J. McDevitt, Esquire, have conferred to establish a budget for the full litigation of the above-captioned matter as well as a budget for various alternative courses. Nicholas McGrath and his counsel have further discussed the resolution of the litigation through the use of Alternative Dispute Resolution programs, and he needs to develop further information before he can decide whether the case is appropriate for settlement, ADR or full litigation.

Respectfully Submitted,

ATTORNEY FOR PLAINTIFF

ATTORNEY FOR PLAINTIFF

/s/ Thomas J. Joyce, III, Esquire
Thomas J. Joyce, III, Esquire
HANNON & JOYCE

PLAINTIFF

/s/ Michael J. McDevitt, Esquire
Michael J. McDevitt, Esquire
LAWSON & WEITZEN, LLP
Local Counsel for Plaintiff
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/s/ Nicholas McGrath
Nicholas McGrath

Dated: 5-12-2005